

Entered - 9-14-00 - sb
CL 00L0568 - ALEXIS HOLMES

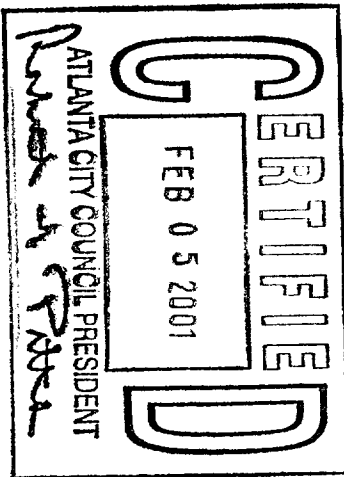
01-R-0122

CLAIM OF: **EVAN MAUK**
850 Piedmont Avenue, NE
Apartment 1207
Atlanta, Georgia 30308

For property damages alleged to have been sustained as a result of an attempt to clear a clogged sewer line on August 8, 2000 at 1236 Spring Valley Lane.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

ADOPTED BY
FEB 05 2001
COUNCIL

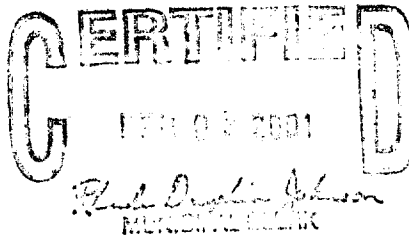


BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **EVAN MAUK** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character **for property damages alleged to have been sustained as a result of an attempt to clear a clogged sewer line on August 8, 2000 at 1236 Spring Valley Lane** as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY
COM: *Public Safety*
DATE: *1-30-01*

OF: *City of Atlanta*
Victor M. Johnson
Mayor



APPROVED
FEB 14 2001

WITHOUT SIGNATURE
BY OPERATING CLERK



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-0122

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Evan Mauk** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **an attempt to clear a clogged sewer line on August 8, 2000 at 1236 Spring Valley Lane.** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

FEB 05, 2001

FEB 14, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0568

Date: 1/18/01

Claimant /Victim EVAN MAUK

BY: (Atty) _____

Address: 850 Piedmont Avenue, Apartment 1207, Atlanta, Georgia 30308

Subrogation: Claim for Property damage \$ 2,544.44 Bodily Injury \$ _____

Date of Notice: 9/3/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 8/8/00 Place: 1236 Spring Valley Lane

Department Public Works Division: Sewer Operations

Employee involved Allen Moore Disciplinary Action: No action taken

NATURE OF CLAIM: The claimant sustained damages when the City used the service line on his private property in an attempt to clear the City sewer line under the street with a high-pressure water hose. In an investigation it was determined that a different work crew had prior knowledge that the line was clogged, and did not communicate that information to this crew, as a result the water backed up into the claimant's house and cause considerable damage to his personal property.

INVESTIGATION:

Statements: City employee _____ Claimant X Other _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement X

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 2,000.00 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____

Claims Manager:  Concurred/date 01-18-01

Committee Action: _____ Council Action _____



RCS# 2577
2/05/01
2:28 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-14

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	B Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA

00-O-2069
01-O-0083
01-R-0074
01-R-0092
01-R-0093

CONSENT

ITEMS ADOPTED ON CONSENT
AGENDA

1. 00-O-1856
2. 01-O-0091
3. 01-O-0094
4. 01-O-0065
5. 01-O-0090
6. 01-O-0097
7. 01-O-0109
8. 00-R-2105
9. 01-R-0078
10. 01-R-0153
11. 01-R-0102
12. 00-R-0729
13. 01-R-0071
14. 01-R-0077
15. 01-R-0114
16. 01-R-0115
17. 01-R-0116
18. 01-R-0117
19. 01-R-0118
20. 01-R-0145
21. 01-R-0149
22. 01-R-0073
23. 01-R-0101
24. 01-R-0147
25. 01-R-0119
26. 01-R-0120
27. 01-R-0122
28. 01-R-0123
29. 01-R-0124
30. 01-R-0125
31. 01-R-0126
32. 01-R-0127
33. 01-R-0128
34. 01-R-0129
35. 01-R-0130
36. 01-R-0146

ITEMS ADVERSED
ON CONSENT AGENDA

37. 01-R-0131
 38. 01-R-0132
 39. 01-R-0133
 40. 01-R-0134
 41. 01-R-0135
 42. 01-R-0136
 43. 01-R-0137
 44. 01-R-0138
 45. 01-R-0139
 46. 01-R-0140
 47. 01-R-0141
 48. 01-R-0142
 49. 01-R-0143
 50. 01-R-0144
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